

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:)
James P. Elia) Group Art Unit: 1646
)
Serial No.: 09/836,750) Examiner: Elizabeth C. Kemmerer
)
Filed: April 17, 2001)
)
For: METHOD FOR GROWING)
MUSCLE IN A HUMAN)
HEART)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, in an envelope addressed to: MAIL STOP NON-FEE AMENDMENT, Commissioner for Patents, P.O. Box 1450, Arlington, VA 22313-1450 on:

Karen Dallen OCTOBER 11, 2007
Signature 10/11/2007 Date of signature

AMENDMENT

MAIL NON-FEE AMENDMENT
Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450

Sir:

This Amendment is filed as a result of the Notification of Non-Compliant Appeal Brief (37 CFR 41.37) mailed on October 5, 2007. Applicant believes that this Amendment will obviate issues raised in the Notification. However, this paper is not intended to be – and is not – a response to the Notification. A substantive response to the Notification will be filed in due course.

Please amend the claims in the instant application as follows: